

LEE COUNTY

NORTH CAROLINA

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REGULAR MEETING
OF THE
LEE COUNTY BOARD OF COMMISSIONERS
106 HILLCREST DRIVE
SANFORD, NORTH CAROLINA 27330

MAY 22, 2014

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 6 p.m. in the Commissioners' Room, 1st Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Amy M. Dalrymple, Dr. Ricky D. Frazier, Dr. Andre Knecht, Charles T. Parks, Robert T. Reives, Kirk D. Smith, and James K. Womack.

Chairman Parks called the meeting to order and the following business was transacted:

Mr. Bryon Buckels delivered the invocation.

The pledge of allegiance was recited.

The Board considered additions/changes to the Agenda. County Manager John Crumpton asked the Board to add Letters of Support for the *Bark for Your Park* Campaign, and a presentation from the Fire Advisory Board in reference to the voluntary fire department tax rates. With no other changes made, Commissioner Smith moved to approve the *Agenda* as amended. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Frazier moved to approve the *Consent Agenda* which consisted of the following items:

- Minutes from the May 5, 2014 regular meeting,
- Minutes from the May 8, 2014 Town Hall meeting at the McSwain Center,
- Tax Releases and Refunds for April 2014 (copy attached),
- Mutual Aid Agreement between Wake County and Emergency Services (copy attached), and
- Fireworks Permit for training at CCCC Emergency Services Training Center (copy attached).

Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Pursuant to N.C. General Statute §153A-42.1, Chairman Parks opened the floor for *Public Comments*. The following signed up to speak and were allowed 3 minutes for comments:

1. Donald Andrews, Mayor, Town of Broadway (in favor of CCCC Bonds/Resolution)
2. Keith Clark, 212 Acorn Drive, Sanford (discussed Board policy/actions).

The first order of business was a public hearing for an incentive grant for Project "Spring". Interim Economic Development Director Crystal Morphis stated Project "Spring" was for a business expansion project for GKN, which until this time had been referred to as Project "Spring". Ms. Morphis stated investment in building renovations will amount to \$3.5 million, a \$10 million investment in machinery and equipment, and the addition of 105 new jobs at a total annual average salary of \$38,096. Commissioners are asked to provide a cash incentive grant of up to \$153,900 to be paid over five-years with revenues from the Lee County General Fund. GKN Driveline manufactures automotive driveline and power train components, and will expand operations and use the Sanford facility as a service center. GKN was recently awarded a \$500,000 Building Reuse Grant from the North Carolina Department of Commerce. A representative from GKN was present and stated funding from Lee County was very important to the company. They will transfer equipment from Alamance County to Lee County and will also purchase additional new equipment. The incentive, if approved, will provide a platform for significant growth and for the opening of a building that has been closed for seven years.

Chairman Parks opened the public hearing that had been advertised for this date and time.

The following spoke in favor of the incentive grant for GKN:

1. Donnie Oldham, 2412 Brookwood Trail, Sanford, Chairman of the EDC Corporation
2. Brad Simpson, 513 Wicker Street, Chairman of the Sanford Chamber of Commerce
3. Bob Joyce, 211 S. Steele Street, Executive Director of the Sanford Chamber of Commerce

The following spoke in opposition to the incentive grant for GKN:

1. Keith Clark, 212 Acorn Drive, Sanford

Chairman Parks closed the public hearing.

The Board next conducted a public hearing with the Lee County Planning Board to consider an application by Conveyor Technologies to rezone 1.23 acres of land on Womack Road from Residential Agricultural district to Light Industrial district. Planner Althea Thompson outlined the proposed rezoning application and answered questions.

Chairman Parks opened the public hearing that had been advertised for this date and time.

The following spoke in favor of the rezoning application:

1. Brad Simpson, 513 Wicker Street, Sanford

No one present spoke in opposition to the rezoning application.

Chairman Parks closed the public hearing.

The Board considered their summer meeting schedule for the months of July, August, and September 2014. County Manager John Crumpton recommended the dates of July 21st, August 4th and September 8th. All meetings will begin at 6 p.m. and be held in the Commissioners' Room at the Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina. After discussion, Commissioner Smith moved to approve the above summer meeting schedule for the Lee County Board of Commissioners. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack

Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered Resolutions related to the Bond Referendum requested by the Central Carolina Community College Board of Trustees for the November ballot. County Manager John Crumpton briefly outlined the agenda item. Assistant County Manager/Finance Director Lisa Minter presented a "Resolution Making Certain Findings and Determinations, Authorizing the Filing of an Application with the Local Government Commission and appointing Bond Counsel in Connection with the Proposed Issuance of Community College Bonds by the County" and a "Resolution of the County of Lee, North Carolina Declaring Its Official Intent to Reimburse Expenditures Under United States Department of Treasury Regulations". Ms. Minter stated that on May 5, 2014, the Board of Commissioners voted to move ahead with a \$23 million bond referendum on the November 4th ballot for the Community College. To move ahead with the referendum resolutions must be approved. The Notice of Intent, when approved, will be published in the newspaper after the Resolutions are adopted, as well as the proposed form of the ballot. Ms. Minter stated the referendum has been divided into two questions, one is the amount of \$18 million and is related to the construction, expansion and renovation of educational facilities. The second, in the amount of \$5 million is related to construction, expansion and renovation of facilities used for economic development purposes. Commissioner Womack had concerns with only allowing two questions on the ballot and not each of the four projects proposed. After discussion, Commissioner Dalrymple moved to approve the Resolution as presented and only address the two projects on the ballot as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, and Reives

Nay: Knecht, Parks, Smith, and Womack

The Chairman ruled the motion had failed by a 3 to 4 vote.

Further discussion followed and Commissioner Smith moved to approve an alternate Resolution related to the Bond Referendum requested by the Central Carolina Community College that would address the following four projects on the November ballot:

\$9,000,000 – for the purpose of providing funds to acquire, construct and equip a new health science building for CCCC,

\$5,000,000 – to expand and renovate the veterinary medical technology medical technology facility for CCCC,

\$4,000,000 – to expand and renovate the emergency services training center and various other main campus facilities for CCCC, and

\$5,000,000 – to expand and renovate the civic center and an existing building to be used as a business incubator for CCCC.

A copy of the above *Resolution Making Certain Findings and Determinations, Authorizing the Filing of an Application with the Local Government Commission and Appointing Bond Counsel in Connection with the Proposed Issuance of Community College Bonds by the County* is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Knecht, Parks, Smith, and Womack

Nay: Dalrymple, Frazier, and Reives

The Chairman ruled the motion had been adopted by a 4 to 3 vote.

The Board considered a *Resolution to Reimburse Expenditures under United States Department of Treasury Regulations for the Central Carolina Community College Bond Referendum*. Finance Director Lisa Minter presented the Resolution which was part of the above Resolution presented to make application with the Local Government Commission. Commissioner Womack moved to approve the referenced Resolution as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack

Nay: None

The Chairman ruled the motion had been adopted unanimously.

At this time the Board took a 10-minute recess. Upon returning from recess, with all members present, the regular meeting resumed.

Ms. Victoria Whitt, Executive Director of the Sandhills Center provided the required paperwork to appear before the Board and present the Sandhills Center budget funding request for the upcoming year and program updates. Ms. Whitt stated the Sandhills Center Board of Directors discussed the issue of the County General Budget Request from the nine (9) constituent counties for FY 2014-15. Based on a review of the current fiscal situation that impacts the State and counties, it was decided that the Center would not request an increase in County General Funding from Lee County. The current County General Allocation is \$240,000 and the requested funding for FY 2014-15 is \$240,000. It was noted that the Sandhills Center has not requested an increase in funding from Lee County in the past ten (10) years. Ms. Whitt also presented the Quarterly Community Report for the Sandhills Center. As stated in her report, the Sandhills Center reached a major milestone in December as they marked their first anniversary as a Local Management Entity (LME) – Managed Care Organization (MCO), one of 10 such entities of the North Carolina Department of Health and Human Services. Ms. Whitt stated their efforts are to work for better outcomes for members in the communities they serve. No action was taken.

Donald Andrews, Chairman of the Lee County Fire Advisory Board presented the Lee County Volunteer Fire Departments budget requests for FY 2014-15. Mr. Andrews stated the Fire Advisory Board met with each department and viewed budget requests along with a list of questions or concerns pertaining to the budgets. A brief overview of each fire department and their requested budget amount was presented and discussed. Mr. Andrews proposed the following FY 2014-15 fire district tax rates:

<u>Fire District</u>	<u>FY 2013-14 Rate</u>	<u>FY 2014-15 Rate</u>
Cape Fear	\$ 0.100	\$ 0.100
Carolina Trace	\$ 0.081	\$ 0.086
Clearwater	\$ 0.186	\$ 0.186

Deep River	\$ 0.113	\$ 0.118
Lemon Springs	\$ 0.096	\$ 0.096
Northview	\$ 0.087	\$ 0.087
Tramway	\$ 0.089	\$ 0.089
West Pocket	\$ 0.129	\$ 0.129

Mr. Andrews commended Fire Advisory Board member Larry Kelly for his eight years of service on the Board. After discussion, Commissioner Smith moved to hold a public hearing on the fire department budgets at the June 2, 2014 meeting of the Board, and to send a letter of appreciation to Mr. Kelly for his years of service on the Fire Advisory Board. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

At this time, County Manager John Crumpton presented his FY 2014-15 recommended budget. Per North Carolina Budget and Fiscal Control Act, the County Manager (Budget Officer) is required to submit the recommended budget to Commissioners prior to June 1st of each year. A power point presentation was given outlining such items as the FY 2014-15 Budget Goals, Budget History, General Fund Summary, Position Request Summary, FY 2015 Total Projected Revenues, Sales Tax Revenues, and other items of interest. After the presentation, Commissioner Smith moved to hold a public hearing on the FY 2014-15 proposed budget during the 6 p.m., June 2, 2014 meeting of the Board. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the write-off of 10-year delinquent property taxes. Tax Administrator Mary Yow stated that North Carolina General Statute § 105-378, precludes the Tax Collector from using enforced collection remedies for taxes greater than 10 years past due. 2003 taxes became due on September 1, 2003, ten years after the original due date. Ms. Yow asked the Boards' permission to write off all 2003 taxes having a balance. After discussion, Commissioner Womack moved to approve the write-off of 10-year delinquent property taxes as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered appointments to the Juvenile Crime Prevention Council (JCPC) Board. Clerk to the Board Gaynell Lee presented two applications for consideration for the "concerned/private citizens" category. Commissioner Womack moved to approve the appointments of Ms. Christine Hilliard and Ms. Pam Glover to the JCPC Board as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered Budget Amendment # 05/22/14/14. Finance Director Lisa Minter presented said Budget Amendment for the following department:

Youth & Adult Services – to appropriate \$8,360 in additional grant funding from NCDJDP to be used for administrative expenses.

Commissioner Smith moved to approve *Budget Amendment # 05/22/14/14* as presented, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

Chairman Parks ruled the motion had been adopted unanimously.

The Board considered a Bond Counsel Engagement Letter for the Central Carolina Community College Bond Referendum. Assistant County Manager/Finance Director Lisa Minter asked the Board to approve the Engagement Letter from Womble, Carlyle, Sandridge & Rice to serve as bond counsel for the County of Lee, North Carolina General Obligation Community College Bonds. Ms. Minter stated that Mr. Paul Billow of Womble, Carlyle, Sandridge & Rice has served as Lee County's bond counsel on the County's last two debt financings. If approved as bond counsel for this issuance, the fee proposed is a fixed fee of \$45,000. If the bond referendum should fail, the fee charged would not exceed \$15,000.00. After discussion, Commissioner Dalrymple moved to approve the *Engagement Letter* from Womble, Carlyle, Sandridge & Rice for the CCCC Bond Referendum, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered Letters of Support for Bark for Your Park Campaign that had been added to the Agenda at the beginning of the meeting. John Payne, Director of Parks and Recreation stated his department has entered the Bark for Your Park contest sponsored through PetSafe which is similar to the recent Paint Downtown Sanford contest where citizens vote for projects during a specific time period. A Letter of Support from the Board and a Letter of Commitment of Land for the off-leash dog park is necessary to go along with the contest. It was noted that at the July 15, 2013 meeting of the Board of Commissioners, the Board approved the Parks and Recreation Department moving forward with the Dog Park project at O. T. Sloan Park with the understanding that no appropriation of county funds would be used for development. After discussion, Commissioner Womack moved to approve a *Letter of Support* from the Board and a *Letter of Land Commitment* for the off-leash Dog Park at O. T. Sloan Park, copies of which are attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Finance Director Lisa Minter presented the *Monthly Financial Report* for month ending April 2014. No action was taken.

County Manager John Crumpton presented his *Monthly Report for May 2014*, a copy of which is attached to these Minutes and by this reference made a part hereof. Mr. Crumpton discussed a 50/50 share with the City of Sanford for a Feasibility Study for the new proposed Park Complex at O.T. Sloan Park in the amount of \$15,000. It was stated this item will be discussed at one of the upcoming budget work sessions scheduled by the Board. No action was taken.

Commissioner Smith moved to go into Closed Session to consult with the County Attorney to protect the attorney-client privilege per N.C. General Statute §143-318.11 and to discuss pending litigation that being *Calendine vs. Lee County and Others*. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted and the Board was in Closed Session. Upon returning from Closed Session, with all members present, the regular meeting resumed.

With no other business to come before the Board, Commissioner Dalrymple moved to adjourn the meeting. Upon a vote, the results were as follows:

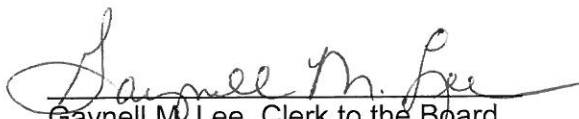
Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 9:50 p.m.



Charles T. Parks, Chairman
Lee County Board of Commissioners

ATTEST:



Gaynell M. Lee, Clerk to the Board